

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

DAVID FRANKLIN WILSON, JR.,

Petitioner,

v.

WILLIAM TERRY,

Respondent.

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CIVIL ACTION NO. 5:09-CV-218(MTT)

ORDER

This matter is before the Court on the Recommendations of United States Magistrate Judge Charles H. Weigle. (Doc. 10). The Magistrate Judge recommends denying federal habeas corpus relief because the Petition had a full and fair opportunity to litigate in State Court. Further, because Petitioner has not made a substantial showing of the denial of a Constitutional Right, the Magistrate Judge recommends denying a certificate of appealability.

The Petitioner filed an Objection to the Recommendation. (Doc. 11). Pursuant to 28 U.S.C. § 636(b)(1), the Court has thoroughly considered the Petitioner's Objection and has made a de novo determination of the portions of the Recommendation to which the Petitioner objects.

The Court has reviewed the Recommendation, and the Recommendation is adopted and made the order of this Court. The petition is **DENIED**. The application for a certificate of appealability is also **DENIED**.

SO ORDERED, this 26th day of July, 2011.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT